

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANDRE LAMONT CROMWELL,)	
)	Civil Action No. 21 – 175
Plaintiff,)	
)	District Judge Joy Flowers Coni
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
JOSEPH FICHTER, <i>et al.</i> ,)	
)	
Defendants.)	
)	

ORDER

AND NOW, this 8th day of April, 2021, in accordance with the opinion;

IT IS HEREBY ORDERED that Plaintiff’s “Motion for Leave to Proceed *in forma pauperis* Because Plaintiff was in Imminent Danger of Serious Physical Injury at the Time he Filed the Complaint” (ECF No. 7) is construed as timely objections to the Report and Recommendation.

IT IS FURTHER ORDERED that the objection with respect to the “three-strikes rule” is TAKEN UNDER ADVISEMENT, and the matter is remanded to the magistrate judge for further proceedings in accordance with the accompanying opinion and the Third Circuit Court of Appeals’ decision in *Talley v. Wetzel*, No. 19-3055.

By the Court:

s/ Joy Flowers Conti
Joy Flowers Conti
Senior United States District Judge

Cc: Andre Lamont Cromwell
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